

REMARKS

In response to Amendment dated Mar. 4, 2005, please amend the above identified application as follows:

Claims 1 – 27 remain in the application,

Claims 20 – 27 standing as withdrawn as directed to a non elected invention.

Claims 3, 10, 11, 16 and 18 have been amended to correct the indefiniteness noted.

Claim 1 has been amended to improve the language and make the claim clearer and to correct minor informalities.

Replacement drawing sheets are submitted with changes as proposed in the previous response.

The Examiner's indication of allowable subject matter in claims 2 and 6-8 is appreciated.

However, reconsideration of the rejection of claims 1, 2, 5, 9, 13-15 and 19 as being anticipated by Bode (6193022) is respectfully requested.

After a careful review of Bode, it is not entirely clear how the mechanism of Bode operates, as there is no clear description of the release of the brake or the reversibility of the motor.

However, it is urged that Bode does not anticipate claim 1, and that claim 1 is patentable over Bode.

In Bode, the motor 5 is connected through a non reversible worm gearing to drive a carrier 9 of a planetary gearing carrier 9.

A manual operator 6 drives a wind up wheel 16 via a cable 15, which wheel 16 is connected to a sun gear 8. A ring gear 10 is connected to a wind up wheel (tightening device 1) on

which a brake operator cable 3 is wrapped.

The ring gear 10 is rotated when either the motor 5 drives the carrier 9 or the lever 6 drives the sun gear 8. When motor is operated, the sun gear 8 is held stationary by a clamp wheel 23 and wrap spring 24 operated by a handle 25 and cable 26.

In the power mode, the motor drives the carrier 9 to drive the ring and wrap up the cable 3. The wrap spring 24 is actuated during the power mode operation to brake the sun gear 8. During manual operation the carrier 9 is braked by the nonreversible motor gearing 24, 22.

Claim 1 recites a clutch which establishes a driving connection between a pivot member and a cable wind up wheel which is engaged in both directions of operation of the motor, but which is disengaged after continued rotation in the brake release direction past a point whereat the brakes are released.

Bode does not have such a disengageable clutch establishing or disconnecting a driving relationship between either the wind up wheel 16 and a pivoted member.

The wrap spring 24 only acts as a brake for the sun 8.

Thus, Bode does not disclose the mechanism of claim 1, and this mechanism differs fundamentally such that it differs in ways that would not have been obvious to one skilled in the art.

The other two references mentioned by the Examiner, Tachiiri et al, '605, and Hass et al, '242 have also been studied.

Those references are also believed to be distinguishable from claim 1.

Tachiiri et al describes a reversible motor 11 driving a cable wind up wheel S1 through irreversible gearing 21, 22. There also is a pivot member 32C driven by the motor 11. A

non reverse input clutch Co is provided to prevent brake release if the motor is deactivated so that the gearing 21, 22 need not be reversible.

The clutch Co. maintains a driving connection between the motor gearing driven pivot member 23 and wind up wheel 51 in either direction of motor rotation. Clutch Co. acts as a one way brake if and when the wind up wheel 51 attempts to drive the pivot member 23, as when the motor 11 loses power. This holds the brake engaged.

The brake can be released manually by pulling the pin 36 out of the outer race 33, releasing the brake by allowing the race 33 to rotate and the cable to unwind from the wind up wheel 51. This differs fundamentally from the mechanism of claim 1 as the driving connection is recited as being established by the clutch in both directions of motor rotation, but is disengaged upon continued rotation of the pivot member past a predetermined point corresponding to the released condition of the brake. In Tachiiri et al, the clutch Co. continues the driving connection between the shaft 23 and 32 for any extent of rotation of the shaft 23 in either direction, including in the release direction. There is never a disconnection of the driving connection between shaft 23 and 32. When the outer ring 33 is fixed, the shaft 32 is braked when it attempts to drive shaft 23. When the ring 33 is released, the shaft 32 can be rotated by the tension in cable 52 to release the brakes.

Hass, et al, while describing wound spring clutches, does not involve a motor driven parking brake apply and release, and thus does not provide the teachings missing from the above discussed patent references.



Favorable reconsideration is respectfully requested.

Date: June 6, 2005 By:

Respectfully submitted,

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By: *John R. Benefiel*